

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 7167 of 2007(C)

PETITIONER:

ANISH V.KUMAR,
PROPRIETOR, K.R. FUELS, INDIAN OIL DEALER,
PALLICKAL P.O., TRIVANDRUM-695604.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI

RESPONDENTS:

INDIAN OIL CORPORATION LIMITED,
REPRESENTED BY ITS DEPUTY GENERAL MANAGER,
KERALA STATE OFFICE, PANAMPILLY AVENUE,
PANAMPILLY NAGAR P.O., KOCHI-682 036.

S.C.SRI.A.M.SHAFFIQUE.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Thottathil B. Radhakrishnan, J.

=====

W.P.(C)No.7167 of 2007

=====

Dated this the 5th day of March, 2007.

JUDGMENT

Petitioner is a dealer of the respondent. By Ext.P1 notice, penal action was proposed alleging violation of dealership agreement. Petitioner is stated to have given Ext.P2 reply. According to the petitioner, he was not given an opportunity of hearing before Ext.P3 was issued. Counsel for the respondent submits that a phonogram was sent to the petitioner listing the matter for consideration on 1-1-2007. Whatever that be, as of now, the fact remains that the petitioner was not heard before Ext.P3 was issued. Since Ext.P3 read with Ext.P1 reflects the grounds of termination, it is appropriate that the petitioner is given an opportunity of post-decisional hearing by letting him file a representation at the earliest, following which, he will be given an opportunity of personal hearing, within two weeks therefrom by the same authority. Following the interim order dated 2-3-2007, status quo, as on today, shall be maintained

WPC7167/2007

-:2:-

until such decision is taken.

Writ Petition is disposed of in the above terms.

Thottathil B.Radhakrishnan,
Judge.

s1.